

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STEVEN D. McABOY, for himself and as  
Personal Representative of the Estate of  
JEAN McABOY, a single person,

Plaintiff,

v.

IMO INDUSTRIES, *et al.*,

Defendants.

Case No. C05-1241L

ORDER STAYING DEFENDANT'S  
MOTION TO CONSOLIDATE

This matter comes before the Court on “Defendant Elliott Company’s Motion for Consolidation of Matters C05-1241MJP and CV05-1250B” (Dkt. # 6).<sup>1</sup> Jurisdiction over the instant case has been conditionally transferred to the Eastern District of Pennsylvania pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation. 199 F.R.D. 425, 435–36 (2001) (setting forth general rules for multidistrict litigation under 28 U.S.C. § 1407). Plaintiff McAboy has filed a notice of opposition to transfer with the Clerk of the Panel pursuant to Rule 7.4(c) and currently is filing a motion opposing transfer<sup>7</sup>. For the foregoing reasons, IT IS HEREBY ORDERED that defendant’s motion to consolidate is

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<sup>1</sup> This case was assigned to this Court pursuant to a minute order issued on August 28, 2005 (Dkt. # 17). The intended companion case, McAboy v. Viad Corp., CV05-1250, was assigned to this Court on September 12, 2005 (Dkt. # 12).

ORDER STAYING DEFENDANT'S  
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1 STAYED pending the Panel on Multidistrict Litigation's disposition of the motion opposing  
2 transfer.

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4 DATED this 31st day of October, 2005.

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8 Robert S. Lasnik  
9 United States District Judge  
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